

Christi, Division.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "Commission"), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII, and is expressly authorized to bring this action by Sections 706(f)(1) and (3) of Title VII, 42 U.S.C. §2000e-5(f)(1) and (3).

4. At all relevant times, Defendant, Linda's Construction, Inc. ("Linda's Construction"), has continuously been a Texas corporation doing business in the State of Texas and the City of Kingsville and has continuously had at least 15 employees.

5. At all relevant times, Defendant Linda's Construction has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Anthony Cornell ("Cornell") filed a charge with the Commission alleging violations of Title VII by Defendant Linda's Construction. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least 1997, Defendant Linda's Construction has engaged in unlawful employment practices at its Kingsville, Texas, facility and various work sites in violation of Section 703(a) of Title VII, 42 U.S.C. § 2000e-2(a). These unlawful employment practices include subjecting Cornell to a hostile work environment on the basis of his race, Black. More specifically, during the course of his employment, Cornell was subjected to racial harassment in the form of racial slurs and offensive jokes by his supervisor and co-workers.

8. The effect of the practices complained of in paragraph 7 above has been to deprive Cornell of equal employment opportunities and otherwise adversely affect his status as an employee because of his race, Black.

9. The unlawful employment practices complained of in paragraph 7 above were intentional.

10. The unlawful employment practices complained of in paragraph 7 above were done with malice or with reckless indifference to the federally protected rights of Cornell.

PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant Linda's Construction, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in any employment practice which discriminates on the basis of race.

B. Order Defendant Linda's Construction to institute and carry out policies, practices, and programs which provide equal employment opportunities and a non-hostile work environment for Blacks, and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant Linda's Construction to make whole Cornell who was adversely affected by the unlawful employment practices described above, by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraph 7 above, including, but not limited to, medical and/or insurance expenses, in amounts to be determined at trial.

D. Order Defendant Linda's Construction to make whole Cornell by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices

complained of in paragraphs 7 above, including, but not limited to, emotional pain, suffering, inconvenience, loss of enjoyment of life, and humiliation, in amounts to be determined at trial.

E. Order Defendant Linda's Construction to pay Cornell punitive damages for its malicious and reckless conduct as described in paragraphs 7, 8, 9, and 10 above, in amounts to be determined at trial.

F. Grant such further relief as the Court deems necessary and proper in the public interest.

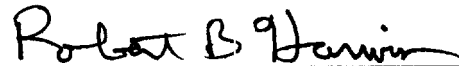
G. Award the Commission its costs of this action.

JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Connie Liem', is written over a horizontal line.

CONNIE LIEM

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